

Charter Commission Minutes 6/15/17
Police Station Community Room

Members present: Andy Churchill, Meg Gage, Nick Grabbe, Tom Fricke, Mandi Jo Hanneke, Irv Rhodes, Diana Stein, Julia Rueschemeyer

Members absent: Gerry Weiss

Public in attendance: Clare Bertrand

Collins Center: Tanya Stepasiuk and Mike Ward

AGENDA: 1. Call to order, approve agenda, approve minutes (5 minutes) 2. Public comment (15 minutes) 3. Review and edit master draft language (all articles except Transition) (3 hours, 25 minutes) 4. Topics not reasonably anticipated by the Chair 48 hours prior to the meeting 5. Planning for future meetings (15 minutes) 6. Adjourn.

Meeting called to order at 5:33pm. Continued with text editing on preliminary Charter.

Discussion of difference between 48 hours and 7 days' notice for calling an emergency session. No vote; left unchanged.

Ward: Section 2.4

Hanneke: Again, another 75% of the full Town Council to change Council members' compensation.

Churchill: That's a very high bar.

Hanneke: It's for compensation and I think we wanted it really high.

Churchill: Yeah, but they never will. Some demagogue will kill it every time.

Ward: Technically, they're not increasing their own, their increasing the next ones.

Churchill: I just have to say that, it's very hard for politicians to vote for a raise, and they then have to stand for election before it takes effect. If the Town is mad at them they can get booted out. It's enough of a disincentive. I have to say that my dad was a legislator in Connecticut for one term and decided that he couldn't run for re-election because he couldn't afford to do it. Not that this is the same kind of thing, but I do kind of feel that, if there seems to be a reason why the Council should be making more money and they're willing to make a case for it, they shouldn't be prevented from doing so by one or two members who are going to demagogue this. Raising a future Council's pay and then running for re-election is enough of a disincentive that you don't have to make it a super-majority.

Rueschemeyer: Make it a majority for now, because I think the point is we'll make it so some people can't afford to run.

Churchill: Or the people who really might be able to use the money for childcare will say 'forget it, it doesn't pay enough'. And I still think it would take a fair amount of unlikely courage for them to raise the amount.

Grabbe: In Greenfield, just about 15 years to give the Council any money at all.

Ward: So, "unless it is adopted by a majority vote of the full Town Council"...

Churchill: Start with multiple member body language

Hanneke: We said [the definition of an appointed multiple-member body would be] three or more in order to be consistent with Article 9, General Provisions, Section 9 (Procedures Applicable to multi-member bodies), Part D: All elected bodies must be comprised of an odd number of members of not less than three.

We've already exempted from the definition of multiple member bodies Library Trustees, School Committee and Town Council. That means the only other elected multi-member body would be the Amherst Housing Authority at this point, because it is partially elected, and that is more than two, it's five. And if we were defining an appointed body to be at least three, that's why we left three in.

Now there could be an ELECTED two-member member body then as some point. Right. So we could elect one but you couldn't appoint one because later in the Charter we say the appointed ones have to be three.

Stepasiuk: Rather than over think this, if it feels better to put two, then put two. It doesn't really matter.

Hanneke: What if the Council appointed a subcommittee that was two-member? And then this might not apply. So, I'm fine with changing it back to two, but I think that was our thinking on why it was three.

Churchill: I think two makes more sense for a multiple member body.

Hanneke: While we're on that one, I have a question. Why don't we have the word "agency" in there as Board, Commission, or Sub-Committee or other body as needing two or more persons because we use the word "agency" in other locations for "multiple member bodies".

Stepasiuk: Agency, define agency.

Hanneke: We haven't defined it. In other places, agencies are referred to.

Stepasiuk: We do have "town agency". I found it, "agency" is broader.

Mandi: I didn't say I wanted to put Housing Authority as exclusive of "multiple member body"--that's the only elected body that's not excluded from this definition. I don't think it should be excluded from this definition, personally.

Churchill: So, do we move, we have one more in here, or do we move on?

Stein: I have just one more thing. I think "temporary absence" would be "a period away from office after which the officeholder intends to return to his office".

Stepasiuk: that's adding "away".

Stein: after a period away from office after which the officeholder would return to his...

Hanneke: I'm on a goal to eliminate all references to "his" and "her", so "return to 'the' office".

Stein: Okay.

Churchill: Or we could say "intends to return" period.

Hanneke: That's right, too.

Churchill: Fewer words that bring out the meaning...

Stein: To office...

Churchill: period. away from office after which the office holder intends to return.

Stein: to office.

Stepasiuk: to office.

Hanneke: I think "to office", too.

Churchill: Alright.

Hanneke: There's one more 'his' or 'her'. "To which there is no intention to return, instead of 'that he or shall return'."

Stein: Okay

Hanneke: Cuts words, gets rid of genders

Stepasiuk: And, for something like that can we agree, as a Commission, sort of that Mandi has permission to make that edit?

Hanneke: There's only one other.

Stepasiuk: Okay

Hanneke: I only brought it up because we were talking about that definition, I was going to leave that. That's not substantive.

Stein: All right, now what.

Churchill: Can we move to the next, Legislative

Stein: "Bulletin Board", we moved it from that other...

Hanneke: Are supposed to be doing things like the boards now?

Stepasiuk: You can, if you want to.

Rueschemeyer: Rhodes and Grabbe weren't here for our Ward discussion.

Ward: Can we start from 2-1?

Hanneke: Last week we had talked about changing all eligibilities to all persons 18 and older domiciled in Amherst. And they're not changed, I wonder if we want to revisit that change anyway before we actually make a...

Stepasiuk: And let me say, I was just doing some research before I came here, and I still, oh, finding the citation. I think the logical thinking about the possibility, um, we're still at the mercy of the legislature to say whether that is okay. And as of yet they have not said that that is okay for a municipality in Massachusetts. So, um, you know that's where we are currently in terms of state law. If it's not even possible, do you want to fight that fight?

Rueschemeyer: What's the fight?

Stepasiuk: The question is, are people going to oppose the Charter because that's in there and it doesn't actually...

Rueschemeyer: Can you be really specific.

Hanneke: and it allows non-citizens to run for office. Because this is not specific, this is running for office.

Rueschemeyer: This thing would sink the Charter? That's really sad.

Churchill: I don't think it would, but how would... If the state says 'this is now allowed', we would just do it, through a resolution.

Stepasiuk: Sort of, I mean, your Council would just do it.

Churchill: Yeah. Or... the Council could do a Home Rule Petition, or a Special Act, or something.

Stepasiuk: It would depend on how they did it. It would depend on if they blanketly said 'this is fine' for any municipality in Massachusetts, it would be depend on if they said "this is how it shall be for any municipality in Massachusetts". And it would depend on if Amherst, you know, requested a Special Act, so it could be any variety of ways.

Rueschemeyer: But can't we actually do it, just independent of that? Or would we have to wait for something to change. What if Peabody does it and there's no problem. And Somerville does it

and there's no problem, like there's no activity. But it might be more, what you're saying about the legislation.

Stepasiuk: As far as I know. And I was trying to go down this rabbit hole today, but I just did not come to the other end. This, this is different from the other question. That there's no indication that they...

Rueschemeyer: Is it actively prohibited?

Stepasiuk: Yes. In a sense, because they set the eligibility laws. And the eligibility laws are "voters age 18" etcetera. They are the arbiters of "what is eligible", that's within the Massachusetts Constitution. So, at any point in time, they could have changed that, whether someone petitions them for it or if they actively change it on their own."

Hanneke: Can I ask you a question? A question that's sort of related to that. You've told us sometimes that there might be a state law, for example, if the Housing Authority that has five-year terms in some state law. And you guys have said "your Charter can overrule that". Even though that's a state law, yet now you're saying that we can't overrule this other state law. Where's the line of which state laws we can overrule through the Charter and which ones we can't? And why do you come down differently?

Stepasiuk: Okay. Um... the answer is, for everything you need to look individually where it comes from. This is based in the Massachusetts' Constitution, so determining who is able to set the standards for eligibility and run for office. It's different, for instance, in New Hampshire specifically in that age and requirements are in their Constitution. Here, it just says that the legislature shall make, is the arbiter, of those. So, it would be a slightly different question in New Hampshire than here.

The other things are in Mass. General Law and those are things that, in essence, your Charter would be petitioning the -- correct me if this is wrong, this is sort my understanding -- legislature for something. Those are general laws that give you some leeway, how would you say that, they're not set in stone. It's like when you're setting certain things up, that's how many people are on this particular board. But if you decide to do something different, you're eligible to be able to do that. I'm not going to say if there's a perfect line there, because sometimes I'm like "I don't know why that's okay."

Ward: You know that several towns have attempted by Special Act to allow non-citizens to vote, and the legislature has never approved it.

Rhodes: Including Amherst. Why do we have to fight this fight in this Charter? If the law changes, we can vote. And, if the Council so wishes to petition the Legislature on a yearly basis, they should be able to do that. But I don't think we need to put it in here at all.

Churchill: I'd also say that I sent out a couple of newspaper articles, like a story and a column from the Republican to everybody that this was, out of all the things we did in our last meeting, this was the thing that MassLive picked up on that 'crazy Amherst' is going to, you know, wants 'illegal aliens' to run the town, or something. I thought it was a stupid way of responding to what we were doing, but I think this is fairly peripheral to what we are trying to accomplish in the constitution of our Town. I'd rather not have it be a sideshow, you know, a distraction to the more structural things that we're trying to accomplish. So, I would agree with Irv that the Council can certainly take this up and I think they would have wide support, but it doesn't necessarily need to be in the Charter.

Stepasiuk: And this is one of those things, I don't want to say 'oh, throw it in the transition'. But you could throw it in the transition in this sense--to say, at least, to the people of Amherst, that this is important to this Charter Commission, we'd like the Council to take this up when and if it's...

Churchill: eligibility to vote and eligibility to hold office-

Ward: We've seen Charters put the actual special acts into the transition. Say, the Town Council shall transmit to the Legislature, or Representative of the Town at the time, the following special act. So basically, here it is, as soon as this is enacted and the Council sees it, they're going to hand it to the Legislature, so there's another option.

Churchill: Are there multiple people who want to keep it in there or are there people that want to put it in the transition.

Rueschemeyer: I want to keep it in.

Grabbe: It should be in transition, at most.

Rhodes: Transition, definitely not in the Charter.

Rueschemeyer: If we're going to say 'voting equality', then we should do some of that. But that's okay, putting it in the transition sounds almost as effective, actually.

Churchill: Alright. So, shall we move on.

Stepasiuk: Okay, put it in now, on the bottom of transitions.

Churchill: Okay. "Any voter shall be eligible to hold the office of Councilor At Large".

Ward: Point of clarification, where we were discussing before, where we wound up on President and Chair.

Hanneke: That's right, it says President (dash) Chair.

Stein: It's President and maybe even "Vice-Chair".

Rueschemeyer: I don't know why we're even doing President, it sounds so... Like we have "Chair of the School Committee".

Hanneke: I think it was closer to sound and be more powerful than a chair. But was still clear that it would be a Councilman, a...

Churchill: "Would be chosen from the At Large members", so in a sense it is directly elected, or semi-directly elected. I think it's a matter of preference: a Chair sounds more like a facilitator and President sounds more like a...

Grabbe: a certain degree of political leadership which we may or may not want.

Rueschemeyer: That person has a degree of political leadership, from our listening session, the other day. The person can set the agenda, work with the Town Manager in setting the agenda.

Hanneke: It has ceremonial functions.

Fricke: And also appoints the subcommittees, that's pretty important.

Churchill: Well, the Chair does that on the School Committee, so... I mean, we can see how many people prefer President versus Chair, if we want.

POLLING OF THE GROUP: President.

Churchill: And "Vice-President"?

Hanneke: I'm not sure I want the President coming from the three At-Large members any more. We've heard a number of comments that, because of what this person's duties are, this unduly limits the candidate pool for essentially a facilitator, that has a few more duties than a facilitator.

I just want to make sure we're sure we really want to limit it to those three, instead of 13. Because I'm not sure it's wise to.

Grabbe: Well, I'll defend that. You and I were in favor of the great ratio of At-Large to District Councilors. We lost that vote, but I think that making the Council President come from the At-Large Councilors gives that person more status and, perhaps, injects an element into the campaign for At-Large Councilor. And it makes that person more accountable to the voters, I think--the voters of the entire Town, rather than one-fifth of the Town. We had mentioned in a previous discussion that generating some incentive to do the At-Large -- why run At-Large if I can run for, the smaller, less contentious Ward election. So, that was convincing to me, in that previous discussion.

Rueschemeyer: I just keep going back to what Alisa Brewer said the other night, which is that anything the President says has to be based on the majority of the Council. So I'm not sure that that person can run on their own agenda.

Rhodes: I'm sorry, I know I'm making this so they have to be running on their own agenda. But they do have that, from their viewpoint, and because the entire Town is their constituency, not a particular Ward. There is a leadership quality to this person, in terms of appointing subcommittees. There has to be a point person to meet with the Town Manager. They not only have to meet with the Town Manager, but do it in terms of the budgeting process. There's this huge number of things that this person is going to be required to do that the whole Council itself cannot do as a body. So I see it as a major leadership responsibility. And I also see it as a responsibility that the Town will see as a major responsibility, not simply the Chair of the Council.

Rueschemeyer: So this person would get paid more?

Rhodes: I assume so.

Grabbe: Yes, they usually are.

Rueschemeyer: I mean we haven't decided.

Grabbe: Gerry and I had a conversation that suggests we would propose a higher salary.

Hanneke: And our current Select Board Chair is paid more.

Stepasiuk: Not usually a lot more

Grabbe: In Watertown, where there's some similarity, they're increasing the pay [of the Chair] from \$6,500 to \$10,500. And for the Councilors, from \$5,000 to \$7,500. So the President is paid 30% more than the Councilors.

The President is on the School Committee, too.

Churchill: I think it removes the concern that some people would have, if a Ward Councilor is running the Council, they would be [favoring a part of Amherst]. I think having Town-wide people being the arbiters of how things are run on the Council removes that question. The Ward Councilors have a clear role communicating with their Wards and really doing a sort of two-way communication. The At-Large ones, it's not as clear what they do, other than reflect the whole Town, so one of them may as well be the President.

Rueschemeyer: But then the Vice-President can come from anywhere?

Churchill: Presumably, they're not going to have too much to do other than sit in when the President can't do it. But it does position someone, if they're a Ward Councilor, to run for an At-Large seat at some point, by virtue of them having this Vice-Presidency.

Grabbe: I think if we want this person to be purely a facilitator, then perhaps Alissa's criticism makes sense, but I want this person to be more than a facilitator. I want this person to be a political leader.

Churchill: Well, I want the Council to be a leader. I don't believe that any one person is going to be able to do anything independent of the Council. So, they basically are a facilitator and that's how they lead.

Grabbe: I meant more around meetings.

Rhodes: It's more than around meetings. Churchill, you served as Chair of the School Committee, I did also. And it certainly was not just running meetings. The amount of time that was spent with the Superintendent, the Town agency members, serving on the Budget Committee; -- it was a huge number things you were involved in. It was not just running a meeting, and for a person to say that's all you're going to be doing, that's far from it.

Churchill: But it's group leadership, it's being an effective group leader. It's not taking an independent position from the Council, because you can't. You can set the agenda.

Rhodes: And that is important, as you know. Setting that agenda in such a way that reflects the will of the Council as well as being in cooperation and collaboration with the Manager is important. It's just not running meetings.

Churchill: I'm hearing some concerns but I'm not hearing why there's great concerns.

Hanneke: None of those are concerning me.

Rueschemeyer: On 2-2b, I like Andy Steinberg's language on the duties of the President, especially when we have a Vice-President who's coming from the Wards, it might be better to be clear about what the duties are of that person.

Hanneke: I guess my only concern becomes if the President becomes absent for more than a few days due to vacation, how the duties might be fulfilled. If we're giving the Vice-President more extensive duties because of a temporary absence, does it require the President to, any time they're out a greater time, notify someone? Is that really what we want the President to have to do?

Stepasiuk: It would be very unusual for a President of the Council to have to notify people.

Fricke: We have sufficient leeway in here that the Council could decide rules for the President's absence. We don't need to play it all out.

Gage: Yeah.

Churchill: Okay.

Rueschemeyer: So all we're saying is the Vice-President shall preside in the absence of the President.

Fricke: Which I think is a declaration of intent, that's what we're seeing the Vice-President's role as.

Hanneke: The Council, in their rules, can clarify that, it doesn't have to be covered in this Charter.

Churchill: The Council could set up its own rules. They could figure it out, we can't spend a lot of time trying to figure out every situation.

2-6 c.ii. special meetings

Stepasiuk: Really 2 kinds - called by the President and called by members

Rhodes: If the President is out of Town and a special meeting is called, should the President be able to remotely participate?

Hanneke: Should we also have provision for Vice President to call a meeting in President's absence - though can put that into emergency provisions

Rueschemeyer: Let's leave as is and move on

2-6 c.iv minutes of meetings

Hanneke: Clerk of Council instead of Town Clerk?

Stepasiuk: No - it's a public records thing

Hanneke: Delete "but not later than next regularly scheduled meeting" because it ties hands too much.

Rueschemeyer: Can we have some upper limit? Can see lots of boards with no posted minutes on website.

Hanneke: Don't want to be too strict.

Churchill: Maybe within 1 month?

Rueschemeyer: 3 months?

Stein: 2 months?

Ward: More important for a legislature to post up to date minutes than other boards - and they do have a clerk

Churchill: Shorter time makes more sense then - they have a clerk so it's not a big deal

Agreed.

2-7 Ward meetings

OK.

2-8 Access to Information

c) Town Manager

Stein: Drop first sentence? Seems redundant.

Hanneke: Actually, two sentences describe different scenarios.

Grabbe: Good to have both.

Agreed.

b) Information Requests

Hanneke: Appropriate to exclude School Committee - but are we leaving a loophole for Council to require appearance of School District employees? No - it's clear under "jurisdiction" clause.

So, following same logic - apply same to Library Trustees?

Churchill: Can't Council call on School Committee to help with Town budget? Is this a difference between requesting and requiring? Council has ongoing Town budget concerns that include school finances.

Rueschemeyer: Want a place where legislature gets at Town's biggest budget item

Rhodes: We're keeping the Budget Coordinating Group - so that's where school and Town meet on budget

Churchill: This clause is for investigating - so idea is to keep Council out of School Committee's territory

Ward: Yes, this is not about collaborative requests

Rueschemeyer: So put in something about requesting information - like in section about requiring Town Manager to appear?

Hanneke: Would be a major jurisdiction confusion. Council shouldn't be in school details

Rhodes: That would be too far, too deep.

Hanneke: Could end up asking "why is so and so employed by district" - should not be in Council's power

Churchill: Budget process/finance coordination already set - voters take rest of School Committee oversight role - putting Council in School Committee oversight would be dangerous and destabilizing

Ward: Don't mess with the reporting chain

Rueschemeyer: Need to build some overlapping mechanism of school/town - without a mayor, what have we done to address concerns about schools being isolated from voters?

Stepasiuk: Might create potential for harassment.

Leave as is with addition of Library Trustees to same status as School Committee. Agreed.

d) Notice

Hanneke: Reduce from 7 days to "reasonable"? Deb Radway's idea.

Stepasiuk: Do want a chance to gather information about an issue?

Ward: Is the idea that 7 days might drag out a burning issue?

Fricke: Seems like a fair concern.

Hanneke: "Reasonable" is better.

Agreed.

2-9 Appointments of the Town Council

Hanneke: Suggest that give appointing power for ZBA to Manager - it's quasi-judicial--not policy making

Grabbe: What's common around the state?

Ward: Maybe Manager appointment.

Rhodes: No - this is a hot button accountability issue - ZBA work is political in a lot of senses and should be politically accountable

Rueschemeyer/Stein: Agree with Rhodes - keep appointing power with elected officials

Hanneke: Can't fight it then. Don't want it politicized. Not really like Planning Board's role as a Zoning Bylaw creator.

Stein: Special permits really are rule making.

Hanneke: This will make ZBA like elected judges.

Stein: Could require ZBA to take advice from Residents Advisory Committee?

Churchill: They're in 3-2.c. - basically advisor to Manager

Rhodes: Leave it to Council to decide own rules

2-10 Bylaws and Other Measures

a) Bylaws

Hanneke: End with "at final passage"

b) Emergency Measures

Hanneke: 2/3 of members present or of full council? Might be hard to pull off 11 members in an emergency

Churchill: Just 2/3 of members present then.

Rueschemeyer: Should we refer to quorum as minimum present?

Hanneke: Unnecessary - already clear that can't have any meeting without a quorum.

Rueschemeyer: But we could make it very clear.

2/3 of members present. Agreed.

c) Right to Postpone

Hanneke: change "matter" to "measure" and eliminate "notwithstanding"

Stein: "matter" could indicate a broader context

Stepasiuk: does this make sense as proposed?

2-11 Town Council Confirmation of Certain Appointments

Churchill: Took lots of feedback on this. Deb Radway and others feel confirming department heads is unworkable - suggest we go with tacit approval as default setting. Also fear that we'll lose candidates with the 45 day window. May even be offensive to require a "second audition" for council. Puts Manager in a precarious negotiating position while wading through process. Unwieldy.

Stein: Time line is too long. Wouldn't executive session for hiring take care of concerns about scaring off candidates?

Churchill: Does any other town do confirmation this way?

Stepasiuk: Yes. Some Councils approve Department Heads.

Hanneke: 45 days is way too long. How about something much shorter? 14 days? 21 days?

Section 3-3 allows bylaw regarding Department Head search committee - so no need to put details elsewhere in Charter - let's keep formal confirmation role, but cut out detailed framework.

Rhodes: Yes - having Council role on Town Manager/Fire/Police/DPW search committees is key.

Churchill: So go with tacit approval process and leave details to bylaw regarding Department Head searches

Hanneke: Still want full council to vote on a recommendation

Grabbe: List of finalists must be public - by state law - so no concerns about exposing candidates at that stage.

Stepasiuk: So 2 weeks to approve?

Ward: Barnstable has a simple "subject to approval" phrasing. May reject candidate with a vote of 6.

Hanneke/Rueschemeyer/Rhodes: Let's do approval within 14 days.

Grabbe: This isn't very different from Select Board's lack of access to process.

Churchill: Is it just the big 4 (Town Manager/Fire/Police/DPW) or all Department Heads?

Hanneke: Happy to re-word this. Would like all Department Heads to come through Council

Grabbe: We've had a search committee recommendation rejected by the Select Board

Rhodes: This keeps Council approval role

Churchill: Is tacit approval after 14 days OK?

Hanneke: As currently written is good. Will re-word and tidy up and send to Collins Center. Change 45 days to 14 days.

Agreed.

Churchill: All "civil service law" references to be deleted? Irrelevant to us.

Agreed.

2-12 Filling of Vacancies

Hanneke: Have received comments asking for special election in event of vacancy.

Churchill: Two year terms are a short enough wait. Special elections are expensive.

Grabbe: Large council on short terms means vacancy not such a priority.

Hanneke: Plus, each Ward has two reps.
No special elections for vacancies. Agreed

Churchill: Let's skip Executive Article for now - it's most recently drafted

Article 4, p. 16

Stein: Let's title this "Other Elected Offices" instead of School Committee and Other Elected Offices.

Hanneke: Should Housing Authority be elected? The governor appointee will have a 5 year term and the other 3-4 members will have 2 year terms. Is it strange that they have different length terms?

Churchill: How do voters know what makes a good Housing Authority Member? There are benefits to appointing—may get more qualified housing authority members.

Fricke: that makes sense.

Rueschemeyer would rather elect. 5 in favor of appointing (Rhodes, Churchill, Grabbe, Fricke, Hanneke), Stein abstains, Rueschemeyer prefers electing. **Gage?**

Hanneke: Section 4(b)1(c) vacancy provision: have this section mirror the vacancy provision of the Town Council. Everyone seems to agree to her change.

Stein: Should not be from voters at large, but from applicants of voters.

Hanneke: This should be taken care of when we mirror Town Council language.

Stepasiuk: Compensation? Should be decided by majority of members instead of 2/3

Topic: School Committee, everyone seems to agree to keep the number of members the same as they have been (no official vote). As to the term length, 3 year length terms would be difficult with 2 year Town elections.

Churchill: We discussed 2 year terms vs. 4 year terms.

Stepasiuk: Plenty of towns and cities have 2 year terms. Why would we do 4 year for School Committee and 2 years for other elected offices? We should weigh the arguments and consider whether Town Council should be 2 year terms or 4 year terms.

Churchill: We've heard that for school, having a longer term to learn the complexities of the school issues and institutional memory is good vs. people might not be willing to run for 4 year terms.

Ward: People may be willing to run for longer terms if they are passionate for a specific issue.

Hanneke: You might have people less likely to run for a second terms when there are four year terms.

Fricke: You might be attracting different people: with a four year term vs. people who try two years. That's a powerful reason to consider shorter terms so we could draw more people from more walks of life. Four years is a long time. He'd prefer two.

Rhodes: The School Committee doesn't want 2.

Stein: The most recently elected members want longer terms.

Stepasiuk: Why don't you check with past School Committee members.

Churchill: The first election is the hard one, collecting supporters, lawn signs etc. He ran twice. If someone wants to challenge, it's harder for the new person.

Hanneke: What about the learning curve because we've heard it takes a long time to get up to speed? New people are going to spend too much time figuring out what's going on.

Churchill: By the end of two years, you know what's going on.

Grabbe: What if there's a hot button issue, will there be a danger all members be thrown out?

Clare Bertrand: Think about the voters, they might like to have a choice every two years.

Rhodes: I came in with a lot of experience, so the learning curve wasn't a problem. Doesn't think running every two years you're going to lose a lot. He also ran twice.

Grabbe: So it would be top five finishers who are elected?

Rhodes: Is this going to be ranked choice voting?

Grabbe: How do you stagger terms in other towns?

Stepasiuk: Sometimes the top vote getters get a longer term.

Rhodes: Two years is doable on School Committee, but it's a problem for Council members.

Rueschemeyer: Problem with spending so much time running rather than focusing on policy issues.

Grabbe: Are there towns with 3 year terms?

Ward: Not with a fall election.

Hanneke: We should go with 2 years for everything. For voters, they'll have the connection every two years and can re-affirm the direction they want the body to go.

Grabbe: The five School Committee members would know they'd have to face elections soon.

Fricke: Makes for a busy ballot.

Rueschemeyer: Can see some of the benefits of the staggered four year term

Rueschemeyer: We have no data on which is better.

Hanneke: There are frustrations in our current government because public doesn't seem connected to their representatives because terms are longer. With a four year term, those elected officials can be silent for 3 years, and then ramp up in the fourth year. With 2 year terms, you can't hide; you have to communicate with constituents.

Churchill: The superintendent made the argument that sometimes people have to make difficult decisions.

Grabbe: Superintendent quoted someone saying to be a good School Committee member means you can't care about being elected.

Churchill: 2 year terms means you might be more in touch with the public.

Hanneke: Ballot will have 17 offices.

Churchill: Is that too big a ballot? Could be potentially 34.

Clare Bertrand: That's not bad.

Ward: With Mayor starts to tip toward 4.

Grabbe: This is one way to give voters more power.

Fricke: Still with 2.

Stein: Accountability is what we've been talking about and running for re-election is not as hard as the first time.

Everyone agreed to move on and keep School Committee term lengths 2.

Oliver Smith Will Electors:

Hanneke: keep the start same as library.

Powers and Duties of School Committee:

Hanneke: Wondering whether this phrase "to adopt and oversee budget of school department" is appropriate because the Council is the one that formally adopts the budget?

Grabbe: Does the Council have oversight over the school budget?

Hanneke: They could decrease the bottom line.

Ward: They'll take a look at that language.

Stepasiuk: This is standard language, but we can see if we can find something better.

Hanneke: Change the word "adopt."

Library Board of Trustees:

Hanneke: We have in here that the Library shall make a report to Town Council?

Hanneke: The school makes a report now to Town Meeting.

Rueschemeyer: Let's have the school make a report to the Town Council.

Hanneke: The Library and School Committee shall make an annual report to Town Council.

We agreed to add that.

Finance section, introduced by Hanneke:

Hanneke: I want to add a new section, Town Manager shall submit to Town Council a preliminary budget by March 1st. Likes the fact that a draft budget comes out before the final budget to the public.

Grabbe: It would still be a month and a half later than it is now.

Churchill: Have you talked to any of the finance people about this?

Hanneke: No

Fricke: How do you think that will impact budgets?

Hanneke: That will allow budget subcommittee more time to look at it.

Grabbe: Might allow public more time to react to proposed cuts.

Churchill: We already have the budgeting coordinating group.

Hanneke: The Manager should have to submit budget to council by May 1 and by April 1, schools and libraries submit their budgets to the Manager.

Churchill: And prior to that, a preliminary budget would come out?

Hanneke: Yes

Stepasiuk: Isn't there the issue with the School Committee not being able to know things too early?

Hanneke: This gives people a heads up as to what cuts might be.

Stepasiuk: The trade-off is that you don't have a budget that's fairly certain.

Ward: You'll have to be more conservative on the first one, and that might make people crazy with the cuts.

Grabbe: Is it possible to make the Town Manager to provide information about changes without being so specific?

Hanneke: Maybe just require a preliminary budget message to be submitted early.

Rhodes: April 1 is fine for a budget message.

Churchill: Maybe the forum should be by March 1st, and that could provide information about what trends have been.

Grabbe: We don't want to commit Manager to preliminary budget.

Churchill: Time forum to be early enough.

Stein: Going back to budgeting council.

Hanneke/Churchill: We'll come back to that.

Grabbe: You want to give the Manager as much information as possible.

Hanneke: You could say March 1st for the public forum.

Fricke: Would like to hear from someone who does town budgets.

Grabbe: Whatever we do will be an enormous improvement.

Churchill: We should check out our timeline.

We agree that we do the forum around March 15th and not have Hanneke's preliminary budget.

Action on the Budget:

Hanneke: Some concern that regional agreements may require the Town Council to deal with portions of the budget before other portions of the budget and that our Charter may not allow for that.

Hanneke: Add a sentence allowing Town Council to consider portions of the budget separately for reasons related to the regional school district budget. Hanneke will send language to Ward and Stepasiuk.

Grabbe: Will this allow Amherst to approve regional budget before the other towns?

Hanneke: Yes

Churchill: If council sends a message early, it would send a signal to other towns to look at it, but the other towns could override it.

Hanneke: Now we discuss the joint meeting.

Churchill: Steinberg is concerned that this isn't specific enough. He thinks this section should mirror the current practice.

Hanneke says she doesn't necessarily agree with him. She says Steinberg thinks there should be an initial meeting of full boards/council etc. and then the Council finance subcommittee shall review the information and establish preliminary guidelines. The Schools, Library and Town Manager shall develop budgets consistent with these. He has very specific membership descriptions (how many from each committee): 2 members of Town Council, 2 members of School Committee, 2 members of Library trustees, superintendent, Library director and Town Manager and any other persons Manager deems necessary.

Hanneke: This is how we do it now, and Steinberg likes that. Hanneke doesn't like the specificity, what if later there is a better way to do things? Maybe budget guidelines shouldn't fall with the finance subcommittee. This almost takes authority away from them later and takes away the authority of the Manager to use his authority as he sees fit. Isn't this too specific for the Charter?

Rhodes: Fiscal responsibility falls to the Council, not the Manager. The budget guidelines should come from the finance subcommittee of the Council because they're put together based on best available information from the past. Gives all departments something to work with to form a budget and is based upon what's realistic.

Churchill: I liked what Steinberg came up with. It gets everyone information about the budget situation. The budget guideline is a useful thing for the budget subcommittee to do. Reflects what we do now.

Fricke: Is this what the Charter should do? Why would we determine what best practice is?

Stepasiuk and Ward: If you do that, you can't change the composition later.

Rueschemeyer: Why don't we put it in the transition section.

Rhodes: Wants to put it in the Charter.

Churchill: Maybe it's more than needs to be in the Charter, but maybe keep that the Council will establish guidelines.

Hanneke: We've had this debate before as to whether this kind of specific language is necessary.

Rueschemeyer: What we already have in the Charter would allow for what we are doing now and be flexible.

Hanneke: Yes, and Steinberg's language makes it very specific.

Rhodes: Not being specific could be good. Manager is deciding everything.

Stepasiuk: Keep in mind that if there's a problem, you could always address it with bylaw.

We agree that Steinberg's version is too specific, so we'll keep things as is.

Hanneke: Wants to add small section regarding the dates after 5(vii), that the Manager can ask for an extension of these dates. Our Charter did not allow for extensions, but this would allow for extensions.

Ward: With the level of detail, escape valve is important.

Next meeting scheduled for June 22, 2017

Stepasiuk: We're cleaning up Transition section and will get it to Transition group around June 20th and to the rest of the Commission later next week.

Stepasiuk: The plan is that at next meeting we'll talk about Transition section. Send us those small corrections.

9:24 PM: Meeting adjourned.

Respectfully Submitted,
Tom Fricke and Julie Rueschemeyer

Documents: Master Draft of June 13, 2017